

105.2053- WIT Rpt- Derivaux- pl

A. I haven't got them.

Q Why did you say it, have you made an examination to find out whether or not you have got them? A. Yes.

Q And you can't find them? A. No, sir.

Q Do you think you could go home, away from here, today-- will you make a ~~thorough~~ thorough search and then come back and tell us positively that you have or haven't got them? A. Yes.

54

C H A R L E S E. D E R I V A U X duly sworn
DIRECT EXAMINATION BY MR. SIMPSON:

Q Mr. Derivaux, what is your occupation?

A Finger print clerk, Bureau of Identification.

Q And were you at these cedar saplings that have been identified by Detective Mason, with Detective Mason and Mr. Schwartz and the photographer?

A I was.

Q Will you tell us what you saw about these cedar saplings that attracted your attention?

A Well, we went down the lane, across the road, near where the bodies were found, and walked down a little ways, and I observed a spot there where an animal had been.

Q How near was it to the cedar saplings?

A Well, tied to the cedar saplings.

Q Yes, the cedar saplings, not the killing, the cedar saplings.

105,2053 - Wit Rpt - Derivaux P²

A Right close to it.

Q And did you see any evidence of an animal having been tied? A. Yes.

Q What did you see? A. Well, the shrubbery was broken.

Q And what about tracks?

A Yes, the pounding in this earth.

Q What kind of tracks, mule tracks or horse tracks?

A Well, it did not look like a horses hoofs.

Q What did it look like?

A They were too small.

Q Was it shod or unshod? A. No shoe marks there.

Q Just the hoof? A. Just the hoof.

CROSS EXAMINATION BY MR. PFEIFFER:

Q Did you say you saw some manure there, Mr. Derivaux?

A There was, yes.

Q Well, are you able to tell us whether it was horse manure or mule manure? A. No, sir.

Q How long do you understand this mule had been tied to the tree? A. That I could not say.

Q You said there were a considerable number of hoof prints?

A There was pounding, a hole made by a pounding of hoofs.

Q From the bark that was off the tree, the pounding of the hoofs, was there any evidence that the mule had brayed forty four days before?

105.2053 p3

A Was not any evidence left, I guess.

Q Well, this was about forty four days after the crime.

A Yes, sir.

Q And you know there had been thousands of people and vehicles in that vicinity, didn't you?

A I heard there was.

REDIRECT EXAMINATION BY MR. SIMPSON:

Q What you say about thousands of vehicles, automobiles and so forth, does that refer to the place of the killing or where the cedar saplings were?

A I did not see but a couple in back there the day I was there.

Q When you refer to automobile marks and thousands of people, do you refer to the place of the killing, the crab apple tree or the cedar saplings?

A Oh, there were no markings at all there where the mule mark was.

Q The place you refer to was at the place of the killing, the crab apple tree. A. Across the field.

J A M E S C U R R A N duly sworn for

DIRECT EXAMINATION BY MR. SIMPSON:

Q Where do you live? A. New Brunswick.

Q And what is your business?